IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

Con.Case(C).No. 574 of 2007(S)

{IN W.P.(C)NO.20792/2006 OF THIS COURT}
.....

PETITIONER/PETITIONER:

P.JAYAPRAKASH, POSTAL ASSISTANT(BCR),
RETURNED LETTER OFFICE, FORT,
THIRUVANANTHAPURAM.

BY ADV. SRI.A.RAJASIMHAN
SRI.P.CHANDRASEKHAR

RESPONDENTS/RESPONDENTS:
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1. I.M.G.KHAN, (AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONER),
SECRETARY, MINISTRY OF TELECOMMUNICATIONS
(POSTAL DEPARTMENT), NEW DELHI.

2. UDAY BALAKRISHNAN, (AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONER),
CHIEF POST MASTER GENERAL,
KERALA CIRCLE, PMG, THIRUVANANTHAPURAM-33.

3. R.K.SATHEESH BABU, (AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONER),
MANAGER, RETURNED LETTER OFFICE,
FORT, THIRUVANANTHAPURAM.

5. MERVIN ALEXANDER,
(AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONER),
DIRECTOR OF POSTAL SERVICE(HQ),
OFFICE OF THE CHIEF POSTMASTER GENERAL,
PMG, THIRUVANANTHAPURAM-33.

BY ASSISTANT SOLICITOR GENERAL SRI.P.PARAMESWARAN NAIR

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 30/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

C.O.C.No.574 of 2007

Dated this the 30th day of May, 2007

JUDGMENT

H.L. DATTU, C.J.

Alleging that the respondents have wilfully and deliberately disobeyed the directions and orders passed by this court in W.P.(C)No.20792/06 dated 6th November, 2006, the petitioner is before us in this petition filed under Sections 11 and 12 of the Contempt of Courts Act read with Article 215 of the Constitution of India inter alia requesting us to initiate appropriate contempt proceedings against the respondents.

2. The respondents are served with copies of the contempt petition and they have entered appearance through learned counsel.

3. The respondents have filed a counter affidavit before this court. In that, they have stated on oath that they have complied with the orders and directions issued by this court, by disposing of the application filed by the petitioner for permission to retire from service voluntarily.

4. Having gone through the pleadings in the contempt petition, the orders passed by this court and the counter affidavit filed by the respondents, we are of the opinion that the respondents have substantially complied with the orders and directions issued by this court. In our view, there is neither wilful nor deliberate disobedience of the orders and directions issued by this court. Accordingly, the cognizance of this contempt petition need not be taken. Accordingly, it is dropped.

However, liberty is reserved to the petitioner, if he so desires, to question the orders that has been passed by the respondents on the application filed by the petitioner. Ordered accordingly.

Sd/-
H.L. DATTU,
CHIEF JUSTICE.

Sd/-
K.T. SANKARAN,
JUDGE.

Sk/

//true copy//

P.S. To Judge